

## **Qualifying Income Trusts (QIT)**

Effective September 1, 2003, individuals who need Nursing Facility or Waiver services but have income over \$1,656 per month will have to place the excess income into a QIT (also called a Miller Trust). The income placed in a QIT will be disregarded in determining Medicaid eligibility but will be considered when determining how much the individual has available to contribute to his/her cost of care. To set up a QIT the individual or family member should contact an attorney.

The Department for Medicaid Services (DMS) must approve each QIT. To be approved as a QIT, the trust has to include at least the following:

1. The trust has to be irrevocable. This means that when the money is put in the trust, an individual can not change their mind later and take the money back.
2. Income must be put in the trust to bring the individual below the Special Income Standard (\$1,656).
3. No resources can be put in the trust. This means that money in a savings account can not be put in the trust.
4. A separate account must be set up. This means a bank account someone already has can not be used for the trust.
5. The terms of the trust must provide that at death, Medicaid will get all the money remaining in the trust, up to the amount that was spent on that person's care by Medicaid.
6. The trustee of the trust must consult with Medicaid on withdrawals from the trust before the withdrawals are made in order to assure that the intended use is allowable under the federal and state law.